

**ENTERED**

April 23, 2024

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**ELIZABETH THOMAS,****Plaintiff,****VS.****PRIMARY RESIDENTIAL  
MORTGAGE INC, *et al.*,****Defendants.**

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**ADVERSARY NO. 24-3066**

**ORDER REQUIRING ELIZABETH THOMAS AND JAMES M.  
ANDERSEN TO PERSONALLY APPEAR AND SHOW CAUSE  
WHY THEY SHOULD NOT BE HELD IN CIVIL CONTEMPT OF  
COURT AND SANCTIONED UNTIL THEY CEASE THEIR  
CONTEMPTUOUS BEHAVIOR**

This adversary proceeding was commenced on April 11, 2024, when a Notice of Removal was filed in the United States District Court for the Southern District of Texas. The Notice of Removal purported to remove a civil action from the Harris County District Courts to the United States District Court for the Southern District of Texas. The District Court's General Order 2012-06 automatically refers proceedings that are removed based on the bankruptcy removal statute to the Bankruptcy Court.

Several cases were allegedly removed. These included Case No. 2016-87941, Case No. 2017-76078, Case No. 2017-82388, and Case No. 2017-04089.

The removal apparently violated several orders of the United States District Court.

On April 16, 2019, the United States District Court (in Civil Action 19-559) enjoined Elizabeth Thomas from “filing any notice of removal from the 127<sup>th</sup> Judicial District Court of Harris County, Texas in Cause No. 2018-91506, Cause No. 2017-76078 and Cause No. 2017-83288” without obtaining advance written permission from the Chief Judge of the United States District Court for the Southern District of Texas.

On February 16, 2023, the United States District Court (in Civil Action 22-705) expanded the April 16, 2019, order and enjoined “any and all removals from any Harris County Texas Court” by Elizabeth Thomas.

On March 30, 2023, the United States District Court (in Civil Action 22-742) further expanded the prohibition by providing that “no party may remove [the remanded case] to this Court without advance written permission from the Chief Judge of the Southern District of Texas.” The order then states that sanctions for violations could be imposed against the removing party “and its counsel.”

The Court finds no record in its files that the Chief Judge of the United States District Court for the Southern District of Texas has authorized the removal that commenced this adversary proceeding.

It appears that Elizabeth Thomas and James M. Andersen have willfully violated the April 16, 2019, order, the February 16, 2023, order and the March 30, 2023, order.

Elizabeth Thomas and James M. Andersen are ordered each to personally appear before this Court and show cause why they should not be held in civil contempt of the referenced orders. The hearing will commence on May 1, 2024, at 8:00 a.m. **Personal attendance is required. No video or telephonic appearances are permitted. If Ms. Thomas or Mr. Andersen fail to appear in person at 8:00 a.m. on May 1, 2024, the Court will direct the United States Marshal to arrest them and bring them before the Court.**

Ms. Thomas and Ms. Andersen may purge their contempt at any time by withdrawing the notice of removal with prejudice against refiling. If they purge the contempt, any adversely affected party may nevertheless seek appropriate compensatory relief for the violation of the previously entered orders, which compensatory relief will only be considered after notice and hearing.

If Ms. Thomas and Mr. Andersen are found to be in civil contempt at the May 1, 2024, hearing, the Court will issue appropriate sanctions (including without limitation temporary incarceration pending compliance) that will be designed to coerce Ms. Thomas and Mr. Andersen to comply.

Ms. Thomas and Mr. Andersen are urged to comply.

The Clerk will serve a copy of this Order on Mr. Andersen and Ms. Thomas (c/o her attorney Mr. Andersen) by email to [jandersen.law@gmail.com](mailto:jandersen.law@gmail.com), by fax to 281-480-4851 and by telephone at 281-488-2800. Counsel to MTH Lending Group, L.P. should serve a copy of this order by hand delivery and file a certificate of service.

SIGNED 04/23/2024

  
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Marvin Isgur  
United States Bankruptcy Judge